

**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**  
**Media and Communications List**

**Claim No: QB-2019-003087**

**BETWEEN: -**

**YANA PEEL**

**Claimant**

**- and -**

**GUARDIAN NEWS & MEDIA LIMITED**

**Defendant**

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**STATEMENT IN OPEN COURT**

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**SOLICITOR FOR THE CLAIMANT**

My Lord, I appear in this action on behalf of the Claimant, Yana Peel, the philanthropist, businesswoman and former Chief Executive Officer of the Serpentine Galleries in London.

The Defendant is the publisher of *The Guardian* and operates the website theguardian.com, which attracts approximately 1.5 million daily visits.

On 14 June 2019, the Defendant published an article on the Guardian website concerning Mrs Peel ("the Article"). The Article was headed "**UK rights advocate co-owns firm whose spyware is 'used to target dissidents'**". It is Mrs Peel's case that the Article defamed her by alleging that she co-owned and partially controlled NSO Group, an Israeli cyber intelligence company, that NSO Group licensed its software to authoritarian regimes to be used for spying on and targeting political dissidents and other serious human rights abuses, that Mrs Peel must have known or suspected this when she acquired her co-ownership and control of the company, and that by reason of this co-ownership and control she was behaving in a grossly hypocritical way, belying her role as a leading human rights campaigner. This meaning of the Article is disputed by the Defendant.

As a consequence of the publication of the Article, and as she announced in her resignation statement on 18 June 2019, Mrs Peel had to step down as Chief Executive Officer of The Serpentine to protect the institution, ending her 15-year relationship with the gallery.

Mrs Peel made a legal complaint to the Defendant immediately after publication. Her primary objective from the outset was the retraction of the article, an acknowledgment that it was wrong and for the Guardian to publish an apology. Although the Defendant eventually, after two and a half months, inserted a note above the Article recording her 'position', it refused to remove it from the Guardian website, as a result of which the Claimant felt that she had no choice but to issue proceedings for libel.

My Lord, I am pleased to record that on 27 January 2020 the parties reached a settlement of this claim. The terms of settlement include the Defendant agreeing to remove the Article from its website, to publish an apology and clarification online accessible via its Corrections and Clarifications column, to make consequential amendments to two further articles it published, and to make a payment of £100,000 towards her legal costs.

The Defendant accepts that Mrs Peel is not and was not involved in the management, operations or control of NSO Group. It also accepts that she has a small (i.e. single digit percentage), indirect and passive interest in the regulated Novalpina Capital investment fund that acquired NSO in 2019. That fund is managed by the Claimant's husband and others. Mrs Peel acquired her stake well before the fund acquired NSO. As the Defendant also accepts, Mrs Peel is not and was not involved in the operation or decisions of the fund, or any decision-making relating to the fund's acquisition of NSO.

Mrs Peel would like to take this opportunity to make it quite clear that since she has never (whether directly or indirectly) owned a controlling stake in NSO, or had any control over NSO, and as the regulated Novalpina Capital fund has many reputable institutional investors, it would be quite wrong to accuse her of hypocrisy in relation to her role as a human rights campaigner. For its part, when the fund acquired NSO, Novalpina Capital made clear its determination to ensure that it would follow the highest corporate governance practices. As the Defendant accepts, all allegations against NSO are unproven and remain contested by the company.

In these circumstances, Mrs Peel now considers that the record has been set straight and she is content to bring these proceedings to a close.